

APR 25 2007

## OFFICIAL COMMUNICATION FOR ENTRY

HICKMAN PALERMO TRUONG & BECKER LLP  
 2055 GATEWAY PLACE, SUITE 550  
 SAN JOSE, CALIFORNIA 95110-1089  
 TEL: (408) 414-1080  
 FAX: (408) 414-1076

## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
James H. Zurita, Examiner	Edward A. Becker
COMPANY:	DATE:
USPTO	APRIL 25, 2007
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(571) 273-8300	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
(571) 272-6766	56055-0024
RE:	U.S. SERIAL NUMBER:
Response for Filing	10/773,843

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

## NOTES/COMMENTS:

Attached for filing purposes is a Response to Restriction Requirement mailed on March 27, 2007.

Cordially,

Tracy Reynolds  
 Legal Assistant

---

THE INFORMATION CONTAINED IN THIS FACSIMILE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

---

Attorney Docket No.: 56055-0024

**APR 25 2007 Patent****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Group Art Unit No.: 3625

Neil Duncan Hunt, et al.

Examiner: James H. ZURITA

Serial No.: 10/773,843

Confirmation No.: 8524

Filed: February 6, 2004

For: APPROACH FOR ESTIMATING USER  
RATINGS OF ITEMS

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In response to the Office Action mailed March 27, 2007, for the application referenced above wherein restriction has been required, Applicant hereby elects with traverse Group II, Claims 7-87 for examination.

MPEP § 803.01 states that there are two criteria for proper requirement for restriction between patentably-distinct inventions. The first criteria is that the inventions must be independent or distinct as claimed. The second criteria is that there would be a serious burden on the Examiner if restriction is not required. Applicant respectfully traverses the restriction requirement on the basis that examining all of the claims would not place a serious burden on the Examiner.

The MPEP explains that a serious burden on the examiner may be *prima facie* shown by appropriate explanation of separate classification, separate status in the art or a different field of search. In the Office Action mailed on March 27, 2007, all five claim groups have the same classification (class 705) and same subclassification (subclass 26) and the same field of search. The Office Action mentions that each claim group has a separate status in the art because of their recognized divergent subject matter. All of the claims relate to estimating how a user would rate an item from a plurality of items, so it is difficult to see how they relate to divergent subject

Attorney Docket No.: 56055-0024

*Patent*

matter or have a separate status in the art. Reconsideration and withdrawal of the restriction requirement is therefore respectfully requested.

Respectfully submitted,



Edward A. Becker  
Reg. No. 37,777

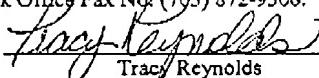
Dated: April 25, 2007  
  
2055 Gateway Place, Suite 550  
San Jose, California 95110-1089  
Telephone No.: (408) 414-1204  
Facsimile No.: (408) 414-1076

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (703) 872-9306.

On April 25, 2007

By

  
Tracy Reynolds